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SUPREME COURT, U. S.
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IN THE

Supreme Court of the United States

OCTOBER TERM, 1960

No. 517

INTERSTATE COMMERCE COMMISSION, *Appellant*

v.

J-T TRANSPORT COMPANY, INC., ET AL., *Appellees*

No. 518

U.S.A.C. TRANSPORT, INC., ET AL., *Appellants*

v.

J-T TRANSPORT COMPANY, INC., ET AL., *Appellees*

REPLY OF APPELLANTS U.S.A.C. TRANSPORT, INC., THE REGULAR COMMON CARRIER CONFERENCE OF THE AMERICAN TRUCKING ASSOCIATIONS, INC., AND THE COMMON CARRIER CONFERENCE—IRREGULAR ROUTE, OF THE AMERICAN TRUCKING ASSOCIATIONS, INC., TO MOTIONS TO AFFIRM OR DISMISS

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Attorneys for Appellants

February 6, 1961

PRESS OF BYRON S. ADAMS, WASHINGTON, D. C.

IN THE

Supreme Court of the United States

OCTOBER TERM, 1960

No. 563

INTERSTATE COMMERCE COMMISSION, *Appellant*

v.

J-T TRANSPORT COMPANY, INC., ET AL., *Appellees*

No. 564

U.S.A.C. TRANSPORT, INC., ET AL., *Appellants*

v.

J-T TRANSPORT COMPANY, INC., ET AL., *Appellees*

REPLY OF APPELLANTS U.S.A.C. TRANSPORT, INC., THE REGULAR COMMON CARRIER CONFERENCE OF THE AMERICAN TRUCKING ASSOCIATIONS, INC., AND THE COMMON CARRIER CONFERENCE—IRREGULAR ROUTE, OF THE AMERICAN TRUCKING ASSOCIATIONS, INC., TO MOTIONS TO AFFIRM OR DISMISS

While appellees urge that "no substantial question"[1] has been presented for the decision of this Court, they nevertheless admit severally that the legislation to be interpreted is "important"[2] and that

[1] Motion for J-T Transport, p. 47, Motion for Contract Carrier Conference, p. 11.

[2] Motion for Contract Carrier Conference, p. 10.

the questions here involved "are of the utmost importance."[3]

So crucial was the situation giving rise to the legislation now at issue that Congress gave it preferred attention. The decision below obviously jeopardizes the future of freight service by highway common carriers. If this result is the lawful effect of the 1957 contract carrier amendments to the Interstate Commerce Act, we submit that this Court should so declare. If, on the other hand, the court below erred, its error should be corrected promptly and these important questions in transportation law be put at rest.

These appellants share the view of the United States in its Memorandum addressed to the Court, "that the appeals present issues of public importance" and that "the Court should note probable jurisdiction of the appeals."[4]

Respectfully submitted,

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February 6, 1961

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[3] Motion for J-T Transport, p. 12.

[4] Memorandum for the United States, p. 2.

CERTIFICATE OF SERVICE

I, Roland Rice, one of the attorneys for appellants U.S.A.C. Transport, Inc., Common Carrier Conference —Irregular Route, of American Trucking Associations, Inc., and Regular Common Carrier Conference of American Trucking Associations, Inc., and member of the Bar of the Supreme Court of the United States, hereby certify that on the 6th day of February, 1961, I served copies of the foregoing Reply on the several parties as follows:

1. On the United States, by mailing copies, duly addressed and postage prepaid, to Archibald Cox, The Solicitor General, Department of Justice, Washington 25, D. C., W. Wallace Kirkpatrick, Acting Assistant Attorney General, Department of Justice, Washington 25, D. C., John H. D. Wigger, Attorney, Department of Justice, Washington 25, D. C., and Edward L. Scheufler, United States Attorney, Kansas City, Missouri, air mail postage prepaid.

2. On the Interstate Commerce Commission, by delivering a copy to Robert W. Ginnane, General Counsel, Interstate Commerce Commission, and by delivering a copy to James Y. Piper, Assistant General Counsel, Interstate Commerce Commission, at their offices in Washington, D. C.

3. On the J-T Transport Company, Inc., appellee herein, by mailing copies in duly addressed envelopes, air mail postage prepaid, to James W. Wrape, Esq., and Glenn M. Elliott, Esq., Wrape and Hernly, 2111 Sterick Building, Memphis, Tennessee, and to John E. Park, Esq., 1007 Bryant Building, Kansas City, Missouri, it attorneys.

4. On other appellees herein, by mailing copies in duly addressed envelopes, to their respective attorneys of record, as follows:

With first class postage prepaid, to Clarence D. Todd, Esq., and Charles F. Riddle, Esq., 1825 Jefferson Place, N. W., Washington 6, D. C., and with air mail postage prepaid, to Lowell L. Knipmeyer, Esq., Waltower Building, Kansas City 6, Missouri, Attorneys for Contract Carrier Conference of American Trucking Associations, Inc.

With air mail postage prepaid, to John H. Kreamer, Esq., 1007 Bryant Building, Kansas City, Missouri, Attorney for Aerospace Industries Association of America, Inc.

/s/ ROLAND RICE